

REMARKS

Upon entry of the amendments, claims 1-11 will be pending in the application.

Claim Amendments

Independent claim 1 has been amended to address antecedent basis issues. Furthermore, the claims have been amended to remove extraneous references to part numbers and do not narrow the original scope of the claims.

Specification

Applicants have amended the specification to address the objections raised in the Office Action.

Claim Rejections – 35 U.S.C. § 112

Claims 1-11 are rejected as indefinite because of antecedent basis issues and because of a discrepancy in the reference numbers.

Applicants respectfully request withdrawal of this rejection in light of the claim amendments. Applicants respectfully submit that the claims comply with the requirements of 35 U.S.C. § 112. Applicants also submit that the noted rejections under 35 U.S.C. § 112 are more properly classified as objections as they pertain to claim informalities that have been corrected with this amendment.

Claim Rejections – 35 U.S.C. § 102

Claims 1-11 are rejected as being anticipated by Buchenaud (FR 2,651,812).

Applicants have carefully considered this rejection and respectfully request that it be withdrawn because Buchenaud fails to inherently or explicitly disclose all the features of the claimed invention. In particular, Buchenaud fails to disclose:

“the radially directed flange of the screw conveyor in the radial direction has an extension that is smaller than the inner radius of the drum and extends from the inside of the circumferential surface of the drum so that an axially directed return chamber forms about the centre axis between the inlet and outlet means of the drum.”

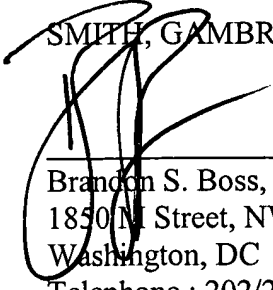
As discussed in the specification of the present application (e.g. the paragraph bridging pages 8 and 9), the return chamber allows material to fall back into the sorting unit and increases efficiency of the apparatus. The return chamber also has a leveling effect, which prevents the sorting unit from being jammed and ensures an even delivery of screened material.

Applicants assert that Buchenaud fails to disclose a flange that forms a return chamber. Applicants note that the disclosure and figures of Buchenaud apparatus suggest that the flange extends from the interior surface all the way to the core of the screw conveyor (i.e. endless screw 6). Applicants note that there does not appear to be a return chamber formed around the centre axis as set forth in claim 1. This difference is not surprising considering the Buchenaud reference is related to an apparatus for cleaning beaches where a flange extending all the way to the screw conveyor axis would be suitable (a copy of an English language abstract is enclosed for the Buchenaud reference that is cited in the Examiner PTO-892 form).

CONCLUSION

Applicants respectfully request allowance of the application. If any additional fees are due in connection with the filing of this response, please charge the fees to Deposit Account No. 02-4300. Any overpayment can be credited to Deposit Account No. 02-4300.

Respectfully submitted,


SMITH, GAMBRELL & RUSSELL, LLP

Date : June 22, 2004

Brandon S. Boss, Reg. No. 46,567*
1850 M Street, NW – Suite 800
Washington, DC 20036
Telephone : 202/263-4300
Facsimile : 202/263-4329

SGRDC/217025.1

* Practice is limited to matters and proceeding before federal courts and agencies.

Machine for cleaning sandy beaches

Patent number: FR2651812
Publication date: 1991-03-15
Inventor: LEOCADIE BUCHENAUD CLAUDETTE
Applicant: BUCHENAUD CLAUDETTE (FR)
Classification:
- **international:** E01H12/00
- **europaen:** E01H12/00
Application number: FR19890012007 19890911
Priority number(s): FR19890012007 19890911

Abstract of **FR2651812**

The present invention relates to a machine which makes it possible to clean sandy beaches in depth, and to mechanically remove waste exceeding a given size.

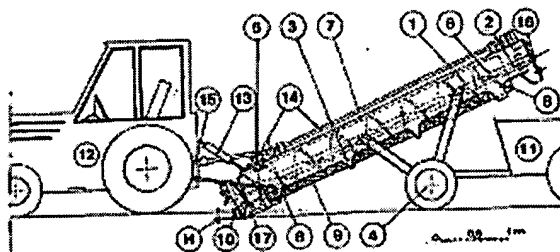
The machine consists of a chassis (3) on wheels (4) on which a sieve tube (1), rotating on itself, is centred.

The sieve tube (1) is an endless screw (6) fixed inside a screening cylinder (7).

The shape of the continuous spiral blades (6) and the rotation of the tube make it possible to dig up the sand, which rises in the screening part of the tube (7), passes through the mesh of the sieve and falls back onto the beach.

The coarse elements rise along the spiral as far as the upper part of the tube where they are recovered in a bucket (11) attached to the machine.

The machine is drawn by an independent vehicle (12) which provides the energy necessary for rotating the tube (1).



Data supplied from the **esp@cenet** database - Worldwide